

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

BRENNAN M. GILMORE,

Plaintiff,

v.

ALEXANDER E. (ALEX) JONES, *et al.*,

Defendants.

Case No. 3:18-cv-00017-NKM-JCH

MOTION TO WITHDRAW AS COUNSEL

Pursuant to Local Rule 6(i), the undersigned counsel for defendants Free Speech Systems, LLC, Infowars, LLC, Alexander E. Jones and Lee Ann McAdoo a/k/a Lee Ann Fleissner (collectively, the “Free Speech Defendants”), respectfully move this Court to withdraw as counsel of record in this matter and as grounds therefor, state as follows:

1. Counsel may withdraw from an action “with the consent of the Court for good cause shown.” W.D. Va. L.R. (6)(i). Good cause exists here because “withdrawal can be accomplished without material adverse effect on the interests of the client.” Rule 1.16(b), Virginia Rules of Professional Conduct.¹

2. The Free Speech Defendants consent to this withdrawal and will remain represented in this case by Thomas Albro and Evan Mayo of Tremblay & Smith PLLC and by Marc Randazza of the Randazza Legal Group (*pro hac vice* motion pending). Mr. Randazza is representing some of the Free Speech Defendants in other defamation matters and is familiar

¹ Whether to allow an attorney to withdraw is committed to the district court’s discretion. *See United States v. Blackledge*, 751 F.3d 188, 193 (4th Cir. 2014).

with the facts and circumstances of this case. Further, trial, if any, will not occur in the case until no earlier than June 2021. The undersigned will assist in an orderly transition to existing counsel which will not require any deferments or delays in the case schedule.

3. Accordingly, the undersigned counsel Elizabeth A. Scully, Mark I. Bailen, Andrew M. Grossman and Richard B. Raile respectfully request to withdraw as counsel and for the Court to grant this motion.

Dated: September 25, 2020

Respectfully submitted,

BAKER HOSTETLER LLP

/s/ Elizabeth A. Scully

Elizabeth A. Scully (VSB #65920)

Mark I. Bailen

Andrew M. Grossman

Richard B. Raile (VSB #84340)

Washington Square, Suite 1100

1050 Connecticut Avenue, N.W.

Washington, DC 20036-5304

Telephone: (202) 861-1500

Facsimile: (202) 861-1783

escully@bakerlaw.com

mbailen@bakerlaw.com

agrossman@bakerlaw.com

rraile@bakerlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2020, I caused the foregoing to be electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Elizabeth A. Scully

Elizabeth A. Scully (VSB #65920)

Washington Square, Suite 1100

1050 Connecticut Avenue, N.W.

Washington, DC 20036-5304

Telephone: (202) 861-1500

Facsimile: (202) 861-1783

escully@bakerlaw.com